

By: Senator(s) Hill, McDaniel, Watson,  
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To: Education

SENATE BILL NO. 2632

1 AN ACT TO PROVIDE THAT THE STATE BOARD OF EDUCATION AND THE  
 2 STATE DEPARTMENT OF EDUCATION SHALL TAKE NO FURTHER ACTION TO  
 3 IMPLEMENT ANY COMMON CORE STANDARDS DEVELOPED BY THE COMMON CORE  
 4 STATE STANDARDS INITIATIVE; TO DIRECT THE STATE SUPERINTENDENT OF  
 5 EDUCATION TO TAKE IMMEDIATE ACTION TO WITHDRAW FROM THE  
 6 PARTNERSHIP FOR ASSESSMENT OF READINESS FOR COLLEGE AND CAREERS  
 7 (P.A.R.C.C.); TO AUTHORIZE AND DIRECT THE STATE BOARD OF EDUCATION  
 8 TO ESTABLISH A CURRICULUM CONTENT STANDARDS ADVISORY COUNCIL AND  
 9 SUBCOMMITTEES TO REVIEW THE EDUCATIONAL STANDARDS IN EFFECT IN  
 10 MISSISSIPPI; TO PROHIBIT THE STATE BOARD AND STATE DEPARTMENT OF  
 11 EDUCATION FROM EXPENDING CERTAIN FEDERAL FUNDS TO TRACK STUDENTS  
 12 BEYOND THEIR K-12 EDUCATION AND TO DISTRIBUTE CERTAIN STUDENT  
 13 IDENTIFIABLE INFORMATION; AND FOR RELATED PURPOSES.

14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

15 **SECTION 1.** Definitions. The following words and phrases  
 16 shall have the meanings ascribed herein unless the context clearly  
 17 indicates otherwise:

18 (a) "Board" means the Mississippi Board of Education.

19 (b) "Department" means the Mississippi Department of  
 20 Education.

21 (c) "Education entity" means any agency or department  
 22 of state or local government that exercises any responsibility  
 23 with respect to K-12 public education in the State of Mississippi.



24 (d) "State official" means any official in state or  
25 local government in Mississippi, whether elected or appointed;

26 (e) "Personally identifiable information" shall have  
27 the same meaning as that term is given in 34 CFR Part 99.3.

28 **SECTION 2.** (1) Any actions taken by the board or the  
29 department to adopt or implement the Common Core State Standards  
30 as of the effective date of this act are void ab initio.

31 (2) Upon the effective date of this act, the State  
32 Superintendent of Education shall immediately initiate the  
33 procedure, outlined in the Bylaws of the Partnership for  
34 Assessment of Readiness for College and Careers (adopted April 12,  
35 2012), to withdraw the state from such consortium. All statewide  
36 K-12 tests and assessments shall be solely owned and solely  
37 controlled by the state.

38 (3) The State of Mississippi shall retain sole control over  
39 the development, establishment and revision of curriculum  
40 standards. Neither the board nor any other state education  
41 entity, nor any state official, may join any consortium or any  
42 other organization when participation in that consortium or  
43 organization would cede any measure of control over any aspect of  
44 Mississippi public education to entities outside the state, nor  
45 may any such person or entity condition or delay a decision on  
46 standards or curriculum on the decision of any consortium,  
47 organization, any other state government, or the federal  
48 government. No curriculum standards developed outside the State



49 of Mississippi, including, but not limited to, the Next Generation  
50 Science Standards, the National Curriculum Standards for Social  
51 Studies, the National Health Education Standards, and the National  
52 Sexuality Education Standards, and no standards that use the same  
53 model frameworks as such standards developed primarily by entities  
54 outside the State of Mississippi may be adopted or implemented  
55 without public hearings held in each congressional district, an  
56 open comment period of one (1) year, and open hearings before a  
57 joint committee composed of the House Education Committee and  
58 Senate Education Committee, followed by an act of the Legislature.

59 **SECTION 3.** (1) **Curriculum Content Standards Advisory**

60 **Council.** (a) Beginning on July 1, 2014, the board shall  
61 establish a Curriculum Content Standards Advisory Council to  
62 advise the board in creating and adopting world-class curriculum  
63 content standards that will lead to a broad liberal-arts  
64 education, resulting in college- and career-readiness, for all  
65 students. The advisory council shall include one (1) curriculum  
66 director with expertise in curriculum and standards from  
67 Kindergarten through Grade 12 education community; three (3)  
68 parent representatives; one (1) certified elementary teacher, one  
69 (1) certified middle school teacher, and one (1) certified high  
70 school teacher, each employed by a local school system or retired  
71 from teaching in public school and each with at least ten (10)  
72 years' teaching experience in core curriculum; one (1) professor  
73 from the mathematics department of a college of arts and sciences;



74 one (1) professor from the English literature department of a  
75 college of arts and sciences; one (1) representative from a  
76 technical college; one (1) representative from the business  
77 community; two (2) local board members or superintendents from  
78 local school systems appointed by the Chairman of the House  
79 Education Committee; two (2) local board members or  
80 superintendents from local school systems appointed by the  
81 Chairman of the Senate Education Committee; and two (2) clinical  
82 psychologists or psychiatrists with expertise in child cognitive  
83 development. All members of the advisory council shall have  
84 completed at least a four-year college degree.

85           (b) All members of the advisory council must be  
86 citizens of the State of Mississippi for at least six (6) months  
87 before appointment. Members shall serve without compensation but  
88 shall be reimbursed for necessary expenditures incurred in the  
89 performance of their duties as members of the advisory council.  
90 Members, as well as any members of their families or their  
91 business entities, shall not have conflicts of interest with  
92 regard to actions taken by the advisory council and shall not  
93 accept any money, meals, trips, gifts, or any other favors from  
94 any person, business or organization that would benefit,  
95 financially or otherwise, from actions taken by the advisory  
96 council. The advisory council shall be as fairly balanced as  
97 reasonably possible with members from each of the congressional  
98 districts representing urban, suburban and rural areas. Advisory



99 council members shall serve no longer than four (4) years. Each  
100 member rotating off the advisory council shall be replaced within  
101 thirty (30) days.

102       (2) **Subcommittees.** (a) The advisory council shall  
103 establish the following subcommittees for K-12 curriculum content  
104 standards: mathematics, history/social studies, science and  
105 English Language Arts. Subcommittee members need not be members  
106 of the advisory council. Each subcommittee shall include among its  
107 required members at least the following: three (3) certified  
108 teachers employed by local school systems or retired from  
109 teaching, whether in public or private schools, and having at  
110 least ten (10) years of teaching experience with at least five (5)  
111 years in the academic content area of the subcommittee; three (3)  
112 parents of students enrolled in public school; three (3)  
113 professors, each with a doctoral degree in the specific academic  
114 content area of the subcommittee, who are employed by or have  
115 retired from a four-year institution of higher education; one (1)  
116 member appointed by the Chairman of the House Education Committee;  
117 and one (1) member appointed by the Chairman of the Senate  
118 Education Committee. Subcommittees that address high school  
119 subject areas may also include one representative from a technical  
120 college and one (1) representative from the business community.

121       (b) All members of each subcommittee must be citizens  
122 of the State of Mississippi for at least six (6) months before  
123 appointment. Members shall serve without compensation but shall



124 be reimbursed for necessary expenditures incurred in the  
125 performance of their duties as members of the advisory council.  
126 Members, as well as any members of their families or their  
127 business entities, shall not have financial conflicts of interest  
128 with regard to actions taken by the subcommittees or the advisory  
129 council and shall not accept any money, meals, trips, gifts, or  
130 any other favors from any person, business or organization that  
131 would benefit, financially or otherwise, from actions taken by the  
132 subcommittees or the advisory council. Subcommittees shall be as  
133 fairly balanced as reasonably possible with members from urban,  
134 suburban and rural areas. Subcommittee members shall serve no  
135 longer than four (4) years. Each required member rotating off a  
136 subcommittee shall be replaced within thirty (30) days.

137 (c) Each subcommittee shall review the standards in  
138 effect in Mississippi as of January 1, 2010, in its subject area  
139 to ensure that they contain clarity, rigor, content, depth and  
140 coherence. For perspective, each subcommittee shall also examine  
141 curriculum reform efforts over the past few decades to ensure that  
142 current efforts do not take place without historical context. The  
143 subcommittee shall:

144 (i) Review relevant research on the subject area  
145 and identify areas in the standards where revision is appropriate;

146 (ii) Examine curriculum standards for the subject  
147 area adopted by other states;



148 (iii) Collect feedback on the standards from  
149 teachers, parents and other citizens and make feedback available  
150 to the public via Internet posting; and

151 (iv) Solicit feedback from appropriate  
152 content-related organizations, associations and societies.

153 (d) Each subcommittee shall prepare proposed revisions  
154 of the standards to reflect its findings from the research  
155 conducted pursuant to paragraph (3) of this subsection.

156 (e) Each subcommittee, through the department, shall  
157 provide an electronic copy of the revised standards to each local  
158 school system and shall make such revised standards available to  
159 the public via Internet posting. Each local school system shall  
160 notify parents or guardians of its students that the curriculum  
161 content standards are being revised and that there is an  
162 opportunity to provide feedback. Each subcommittee, through the  
163 department, shall also provide an electronic copy of the revised  
164 standards to the relevant department heads of each institution of  
165 higher education in this state. An electronic copy of all high  
166 school standards shall be sent to the department heads of the  
167 content areas addressed by those standards; for example, English  
168 language arts standards shall be sent to the heads of the English  
169 departments, history standards shall be sent to the heads of the  
170 history departments, and so on. High school mathematics standards  
171 shall be sent to the heads of departments of mathematics,  
172 engineering, physical and biological sciences, and computer



173 science. A public comment period of at least sixty (60) days  
174 shall be provided, and each subcommittee shall conduct at least  
175 one (1) public hearing for the purpose of permitting the public to  
176 comment on the rigor, clarity and reasonableness of the standards  
177 developed by the subcommittee. The standards shall be revised as  
178 appropriate.

179 (f) At the conclusion of the revision process, each  
180 subcommittee shall submit the revised standards to the advisory  
181 council for its review and approval.

182 (3) Upon receipt of the revised standards from the  
183 subcommittees, the advisory council shall review and finalize the  
184 standards before forwarding them to the board. The board shall  
185 then present the standards during at least one (1) public hearing  
186 held in every congressional district and at an open hearing before  
187 a joint committee composed of the House Education Committee and  
188 the Senate Education Committee. After considering the findings  
189 and recommendations of the task force, the board shall make such  
190 changes in the curriculum standards as it deems in the best  
191 interest of the state and its citizens and shall report such  
192 proposed changes to local school systems and the Legislature for  
193 review.

194 (4) Beginning in 2014, the K-12 standards for mathematics,  
195 history, science and English shall be reviewed pursuant to this  
196 section at least every eight (8) years, with the review for only  
197 one (1) subject being initiated in a given year. Notwithstanding





198 this paragraph, the standards for English Language Arts shall be  
199 reviewed this year and then again no more than eight (8) years  
200 hence, and the standards for math shall be reviewed this year and  
201 then again no more than six (6) years hence.

202 **SECTION 4.** (1) On and after July 1, 2014, neither the  
203 board, the department, nor any other education entity shall:

204 (a) Expend any funds, whether from federal Race to the  
205 Top grants, American Recovery and Reinvestment Act funds, or  
206 elsewhere, on construction, enhancement or expansion of any  
207 statewide longitudinal data system designed to track students  
208 beyond their K-12 careers, or to compile their personal,  
209 nonacademic information beyond what is necessary either for  
210 administrative functions directly related to the student's  
211 education, for evaluation of academic programs and student  
212 progress, or for compliance with the requirements of the United  
213 States Department of Education as outlined in paragraph (5) of  
214 this subsection;

215 (b) Share any personally identifiable information  
216 compiled on students or teachers with any entity outside the State  
217 of Mississippi, except as provided in this section; provided,  
218 however, that this shall not include hard data storage located in  
219 safe locations outside the state, or cloud data storage as long as  
220 the cloud computing provider agrees in writing that it will not  
221 redisclose such information or use the information for any  
222 secondary purposes that benefit the provider or any third party,



223 including, but not limited to, online behavioral advertising,  
224 creating or correcting an individual or household profile  
225 primarily for the provider's benefit, the sale of data for any  
226 commercial purpose, or any other commercial for-profit activity;

227 (c) Share any personally identifiable information about  
228 any student or teacher with any entity that intends to use that  
229 information for development of commercial products or services or  
230 that intends to transfer that data to any other entity for use in  
231 development of commercial products or services;

232 (d) Share any personally identifiable information about  
233 any student or teacher with any entity inside the State of  
234 Mississippi unless that entity is an education agency or  
235 institution that does not intend to:

236 (i) Use the data to develop commercial products or  
237 services;

238 (ii) Transfer the data to any other entity to use  
239 in development of commercial products or services; or

240 (iii) Use the data or transfer the data for  
241 economic or workforce development planning; or

242 (e) Share any personally identifiable information on  
243 students and teachers with the United States Department of  
244 Education unless:

245 (i) Such sharing is required by the United States  
246 Department of Education as a condition of receiving a federal  
247 education grant;



248 (ii) The United States Department of Education  
249 agrees in writing to use the data only to evaluate the program or  
250 programs funded by the grant;

251 (iii) The United States Department of Education  
252 agrees in writing that the data will not be used for any research  
253 beyond that related to evaluation of the program or programs  
254 funded by the grant, unless the parent or guardian of any student,  
255 and any teacher, whose data will be used for such research  
256 affirmatively consents in writing to that use;

257 (iv) The United States Department of Education  
258 agrees in writing to destroy the data upon completion of the  
259 evaluation of the program or programs for which the data were  
260 compiled; and

261 (v) The grant or program in connection with which  
262 the data are required is one authorized by federal statute or by  
263 federal rule properly promulgated under the federal Administrative  
264 Procedure Act, 5 USC Section 500, et seq.

265 (2) If the United States Department of Education requires,  
266 as a condition of making a federal education grant, that the grant  
267 recipient shares student or teacher data under circumstances that  
268 do not comply with paragraph (5) of subsection (e) of this  
269 section, the grant recipient shall provide written notification to  
270 the parents or guardians of every student whose data will be  
271 shared or every teacher whose data will be shared of the  
272 following:



273 (a) That the grant recipient has been required to turn  
274 over the student's or teacher's data to the United States  
275 Department of Education;

276 (b) That neither the grant recipient nor any other  
277 entity within the State of Mississippi will have control over the  
278 use or further sharing of that data; and

279 (c) The contact information, including telephone number  
280 and e-mail address, of the United States Department of Education  
281 official who demands the data.

282 (3) No state or national student assessment shall be adopted  
283 or administered in this state that collects any type of  
284 psychological data, including assessment of noncognitive skills or  
285 attributes, psychological resources, mindsets, learning  
286 strategies, effortful control, attitudes, dispositions, social  
287 skills, or other interpersonal or intrapersonal resources.

288 **SECTION 5.** This act shall take effect and be in force from  
289 and after July 1, 2014.

